



GERMAN LOSSES ARE 60,000 IN VIMY FIGHTING

Battle Continues in Swirling Snowstorm With French Delivering Counter Smashes at Neuville.

ARTILLERY EXCHANGES RAGE

Tentative Striving to Strengthen Positions by Operations With Mines and Grenades—In Some Places Hand-to-Hand Fighting Develops Over Trenches.

LONDON, Feb. 10.—German losses in fighting at Vimy Heights, south of Arras, totaled 60,000, today's reports said. The battle still continues in a swirling snowstorm.

The French are staging vicious counter attacks near the Neuville road where the Germans claimed to have captured a half mile of trenches on Tuesday.

Artillery battling proceeds around Frise where the French are ruining the last few buildings. The Germans with mines and grenades, are seeking to improve their positions. The struggle has developed hand-to-hand fighting.

VIENNA, Feb. 10.—The Montenegro who surrendered have been completely disarmed, the Austrian's officially announced.

Millman Says Race is Perfectly Safe

HYDENSTEIN REGARDS DANGER REPORTS AS EXAGGERATED; MINIMIZES DAMAGE.

Pendleton, Ore., Feb. 10, 1916. To the Editor of the East Oregonian and the People of Pendleton.—As there has been a very exaggerated account in your paper and also the Portland papers of the trouble with high water in the river mill race, I want to ask you for a little space in your paper.

In the first place there was no real ice jam in the race. But through the race being frozen over, the water was more sluggish than usual, and stood a little nearer the top of the bank. Finding a weak spot, a small stream of water escaped, exciting some people. In regard to the condition of the head gate of the race, this is not thirty years old as stated by some parties. The head gate was entirely rebuilt after the high water of five or six years ago, and is in perfectly safe condition at the present time. Also the Pendleton Roller Mills are patrolling the race and watching both the race and the head gate both day and night. I am willing to work with the councilmen and others in authority in safeguarding the people of Pendleton, and assure everyone that there is no danger from the mill race.

Yours truly,
H. G. HYDENSTEIN,
Pendleton, Ore.

President Brock Names Committees to Handle Affairs

PRESENT COMMITTEES OF COMMERCIAL ASSOCIATION HOLD TILL MARCH 1.

New committees which will handle the affairs of the Commercial association during the next year were named this morning by the new president, W. E. Brock. The old committees will hold until March 1. The following is the full list of officers and committees:

Board of Managers.
George C. Baer, W. J. Clarke, H. W. Collins, A. H. Cox, G. A. Hartman, F. W. Lampkin, J. B. McCook, S. R. Thompson, J. C. Woodworth.

Standing Committees.
City Affairs—A. H. Cox, chairman; F. E. Boyden, J. J. Hamley, J. E. Montgomery, G. W. Phelps, I. U. Temple.

Streets and Roads.—F. W. Vincent, chairman; L. S. Bentley, Willard Bradley, F. S. Carl, C. P. A. Loneragan, J. W. McCormick, L. L. Rog.

(Continued on page four.)

BRITISH VICTIM ON THE APPAM



Sir Edward Merewether, British Governor of Sierra Leone, in Africa, was one of the passengers on the Appam when he was captured by a German raider. He was brought to the United States a prisoner in charge of Lieutenant Berke, the German naval officer.

YOUNG BANDIT HOLDS UP TRAIN, ROBS AND THEN MAKES ESCAPE

ONLY THE MEN ARE VICTIMS ON UNION PACIFIC TRAIN AT GREEN RIVER.

CHEYENNE, Feb. 10.—Posses are pursuing a young highwayman who last night boarded Union Pacific train No. 18 at Green River and robbed the men in the smoker and two Pullmans before he became frightened, stopped the train and escaped near Rock Springs. He did not molest the women passengers. He politely assured them he intended them no harm. Only one shot was fired and that merely as a warning. It went wide over the conductor's head. A white mask imperfectly hid a smooth shaven face.

MANY BRIDGES ARE PUT OUT BY FLOOD ON BUTTER CREEK

Floods in the Heppner country and on Butter creek have been sufficient to destroy many bridges and to put the Heppner branch railroad out of commission for the time being, according to a phone report from the Heppner Herald to the East Oregonian this afternoon.

Willow creek was real high last night and two bridges, both wooden, were washed out. One was the bridge in Heppner and the other a bridge above town. Several bridges were washed out on Butter creek.

AUSTRIA TO BE ASKED WHY SHE HELD UP TANKER

Standard Oil Vessel Halted on High Seas While Commander of Submarine Took Supplies.

MEMBER OF CREW WOUNDED

Captain of Tanker Says Diver Fired on Him While He Was Rowing Over to Display His Papers—Refused to Sell Supplies so They are Possibly Taken.

WASHINGTON, Feb. 10.—Austria must explain why a submarine stopped the Standard Oil tanker Petrolette, recently on the high seas and helped himself to stores aboard, Secretary Lansing announced. A request, not a note has been sent Vienna, though the United States may make demands later. Captain Thompson made an affidavit saying a submarine fired on the Petrolette en route from Alexandria to Philadelphia. One member of the crew was wounded after the ship was stopped. The submarine commander sought provisions. Thompson refused to sell. The submarine captain then took them anyway.

It was reported Thompson's affidavit claimed the submarine fired on him while rowing to the diver to present his papers. Officials believe Austria will offer reparation.

Wheat Drops Cent Today in Portland

CHICAGO, Feb. 10.—(Special)—May \$1.28 1/2; July \$1.27 3/4; July \$1.21 1/4; \$1.20 1/2.

Portland, Ore., Feb. 10.—(Special)—Club 94, 98; bluestem \$1.07, \$1.10.

Liverpool, Feb. 9.—Wheat—spot No. 1 Manitoba, 14s 7d; No. 2 hard winter new, 13s 4 1/2d.

In American terms the Liverpool top price is not \$2.12 per bushel.

Police Offers Declined.
LONDON, Feb. 9.—Reports that Germany had offered Russia and Japan separate peace treaties were confirmed by dispatches from Petrograd and Tokio. Both nations peremptorily refused the proffer.

On the branch railroad three bridges are out of commission, one at Morgan, one at Lexington and one at Heppner, the last named bridge being the least affected of all. There has been no train service today and there probably will be none tomorrow.

These creek also has been very high and there are reports of bridges damaged. However, little farming property seems to have been damaged and there have been no injuries to people.

NEWS SUMMARY

General.
German losses immense in fighting on west front.

Young bandit holds up Union Pacific train and escapes.

Austria will be asked to explain holding of Standard Oil tanker.

Local.
Washington division of O-W. bed up by high water; electric power off.

City reinforcing headgates against high water; Tutuilla breaks through jam and floods low lands.

Big crowd sees sheriff empty liquor into gutters.

Big crowd of men stand by as confiscated liquor is emptied into local gutters.

With "How Dry I Am" serving as a funeral dirge, old J. Barleycorn was executed this morning in front of the offices of Justice of the Peace Joe H. Parkes on Court street.

Sheriff Taylor and his deputies acting in the capacity of executioners. One of Pendleton Bros. trucks served as the slaughter pen, and later served as the dead wagon to haul away the broken bones and dripping blood of the deceased.

A big crowd of men, some sad and some glad, witnessed the fulfillment of the law's decree and the triumph of dry justice. Many were the cracks made at the expense of dying John, and wit that would have been better had it been water flowed almost as freely as the life liquid of the uncorked jug.

Some fifteen minutes before the fatal hour, the body of John Barleycorn, represented by 514 quart bottles of beer, 21 pints of beer, 63 small bottles of whiskey, six quart bottles of whiskey, 3 1/2 pints of Edgewood whiskey and three-quarters of a gallon of blackberry brandy, stood in the street and was hauled down the stairs by a truck and railroad iron fitted across the curb and a railroad iron fitted across the curb and a railroad iron fitted across the curb.

Barrel heads were knocked open and just at the stroke of 11, Sheriff

Farmers Holding Grain Find Income Tax is Stiff One

MONEY RECEIVED AFTER JANUARY 1 ALL INCOME UNLESS TERMS OF LAW.

Some of the local farmers who held their 1915 wheat crops until after January 1 for higher prices received a most rude awakening when they consulted with Thad T. Sweek, deputy internal revenue collector, upon the making out of the return blanks for their income tax. They learned that money received from wheat sold after Jan. 1, 1916 could not be included as 1915 income.

At first reading the full import of this is not apparent. But hark to the explanation. The cost of growing the 1915 crop must be included in the 1915 return as the expenses were incurred during the year. Inasmuch as the money from the sale of the 1915 crop was not received until after the close of the year, it must be included next year on the 1916 return and, listen, it must be scheduled, every cent of it, as income, and taxed accordingly.

For example, say a farmer raises \$20,000 worth of wheat and does not sell until after January 1. Say his expense for raising the wheat was \$12,000. This would have left a net income of \$8,000 to be taxed under the federal income tax law had the wheat been disposed of during the year in which it was grown. However, it was not disposed of until sometime during January and, therefore, the full \$20,000 becomes income upon the 1916 return as the law does not permit expenses incurred during the previous year to be deducted. Thus the man who holds his wheat past the end of the year is subject to a much heavier income tax than the man who sold during the year.

Mr. Sweek further points out that if a farmer is still holding his wheat or held it after December 31, 1915, and if the money or money equivalent which he received during 1915 did not exceed by \$2000 his expenses then he is not required to make any return at all.

The farmer who sold his 1915 crop during 1915 and who sells his 1916 crop during the same year will have two years' receipts from which can be deducted but a single year of expenses.

4000 JACKRABBITS KILLED IN BUTTER CREEK SECTION

Elmer Cleaver, head of the Western Land & Irrigation Co., today received a phone message from John Watson of the same company at Hermiston, saying that a party of several men killed 4000 jackrabbits near Butter creek yesterday. The rabbits were gathered in an alfalfa field and because of the snow were easily driven into a place where they could not escape. Most of the rabbits were killed by the use of clubs.

NEWS SUMMARY

General.
German losses immense in fighting on west front.

Young bandit holds up Union Pacific train and escapes.

Austria will be asked to explain holding of Standard Oil tanker.

Local.
Washington division of O-W. bed up by high water; electric power off.

City reinforcing headgates against high water; Tutuilla breaks through jam and floods low lands.

Big crowd sees sheriff empty liquor into gutters.

Big crowd of men stand by as confiscated liquor is emptied into local gutters.

With "How Dry I Am" serving as a funeral dirge, old J. Barleycorn was executed this morning in front of the offices of Justice of the Peace Joe H. Parkes on Court street.

Sheriff Taylor and his deputies acting in the capacity of executioners. One of Pendleton Bros. trucks served as the slaughter pen, and later served as the dead wagon to haul away the broken bones and dripping blood of the deceased.

A big crowd of men, some sad and some glad, witnessed the fulfillment of the law's decree and the triumph of dry justice. Many were the cracks made at the expense of dying John, and wit that would have been better had it been water flowed almost as freely as the life liquid of the uncorked jug.

Some fifteen minutes before the fatal hour, the body of John Barleycorn, represented by 514 quart bottles of beer, 21 pints of beer, 63 small bottles of whiskey, six quart bottles of whiskey, 3 1/2 pints of Edgewood whiskey and three-quarters of a gallon of blackberry brandy, stood in the street and was hauled down the stairs by a truck and railroad iron fitted across the curb and a railroad iron fitted across the curb and a railroad iron fitted across the curb.

Barrel heads were knocked open and just at the stroke of 11, Sheriff

Sacks of Grain to Protect the Levee Are Set in Place

High Water Does Damage in Juniper

There is high water in Juniper per canyon today and considerable damage is being inflicted to the roads, according to a message to the East Oregonian from Hugh Bell, prominent farmer in that section. The high water is due to the melting snow and is damaging fields as well as roads. Opposite the Hampton place the torrent has broken out of the stream bed and is flowing directly down the road for a distance of a half mile.

FLATS AT WEST END OF CITY FLOODED BY WATERS OF TUTUILLA

The waters of Tutuilla creek broke through the snow and ice dam that had been holding them back for several days about 7 o'clock last evening and, as a result, the flats along the creek in the lower end of the city are flooded today. The water is not as high as it was during the freshest last month but residents are fearful that it will continue to rise.

The street committee this morning took a force of men to the bridge at the lower end of Webb street and with sacks of gravel set to work to divert the stream as to minimize the danger to property within the city. However, nothing at this time can be done to relieve the situation below the city.

(Continued on Page Eight.)

HIGH WATER IN EAST END OF COUNTY HOLDS UP TRAFFIC ON WASHINGTON DIVISION OF O-W

High water in the east end of the county has temporarily stopped traffic over the Washington division of the O-W. R. & N. and also shut Pendleton off from power and electric light during the day.

The last train over the line from Walla Walla arrived in Pendleton yesterday afternoon at 4 o'clock and nothing has been moving today at all. The trouble, according to the best reports obtainable, is in the Blue Mountain canyon near Weston where high water and slides have endangered the track. A telephone report from Weston at noon stated

that information there was that the railway bridge over the Walla Walla river has been rendered unsafe by the high water.

The washing out of a pole along the river bottom of the Walla Walla river broke the high line of the Pacific Power & Light Co., this morning and shut this city off from current. Crews were sent out of Walla Walla and this city and shortly after 2 this afternoon the damage was repaired and the power turned on.

A work train sent out of Pendleton this morning to repair the damage to the O-W. tracks had not been heard from this afternoon.

Big Crowd of Men Stand by as Confiscated Liquor is Emptied Into Local Gutters

With "How Dry I Am" serving as a funeral dirge, old J. Barleycorn was executed this morning in front of the offices of Justice of the Peace Joe H. Parkes on Court street.

Sheriff Taylor and his deputies acting in the capacity of executioners. One of Pendleton Bros. trucks served as the slaughter pen, and later served as the dead wagon to haul away the broken bones and dripping blood of the deceased.

A big crowd of men, some sad and some glad, witnessed the fulfillment of the law's decree and the triumph of dry justice. Many were the cracks made at the expense of dying John, and wit that would have been better had it been water flowed almost as freely as the life liquid of the uncorked jug.

Some fifteen minutes before the fatal hour, the body of John Barleycorn, represented by 514 quart bottles of beer, 21 pints of beer, 63 small bottles of whiskey, six quart bottles of whiskey, 3 1/2 pints of Edgewood whiskey and three-quarters of a gallon of blackberry brandy, stood in the street and was hauled down the stairs by a truck and railroad iron fitted across the curb and a railroad iron fitted across the curb and a railroad iron fitted across the curb.

Barrel heads were knocked open and just at the stroke of 11, Sheriff

Workmen Engaged in Placing Barrier Against any Possible Danger at the Upper End of Town--Water Near Top of Headgate--Situation Regarded as Critical.

The Umatilla river at the Main street bridge is higher today than on any previous day of the freshet. This morning at 8 o'clock the water was at the four foot mark and at 1 o'clock the river had risen three inches since 8 a. m.

With a view of protecting the city against possible damage from that point workmen employed by the levee committee and working under I. Wilkes are today placing 500 sacks of gravel on the levee at the upper end of the same at the point where there was a driveway in use while the new bridge was being erected by the county.

A representative of the East Oregonian visited the scene this morning at 10:30 at which time the work of placing the sacks of gravel was underway. At that hour the water in the river just above the headgates was within three feet of being as high as the top of the masonry in which the headgate is placed. The low place in the levee is where the levee connects with the headgates. A three foot rise in the river at that point would have overflowed the levee and headgate.

Mr. Blydenstein, manager of the Pendleton Roller Mills, believes there is no danger of the water overflowing the headgate. However, his confidence is not shared by several men who were at work on the job this morning. They believed there was danger and said that both the levee and the headgate should be higher.

Mr. Blydenstein is of the view the place is safe because the river is wide there. He figures that a three foot rise in the river there would mean a 10 foot rise at the Main street bridge.

German Air Craft Sink British Ships

BERLIN, Feb. 10.—(Wireless via Sayville).—In the last raid on England, Zeppelins bombarded and sank the British cruiser Caroline and the destroyers Eden and Nies, the Cologne Gazette asserted.

Can't Take Booze to Public Place

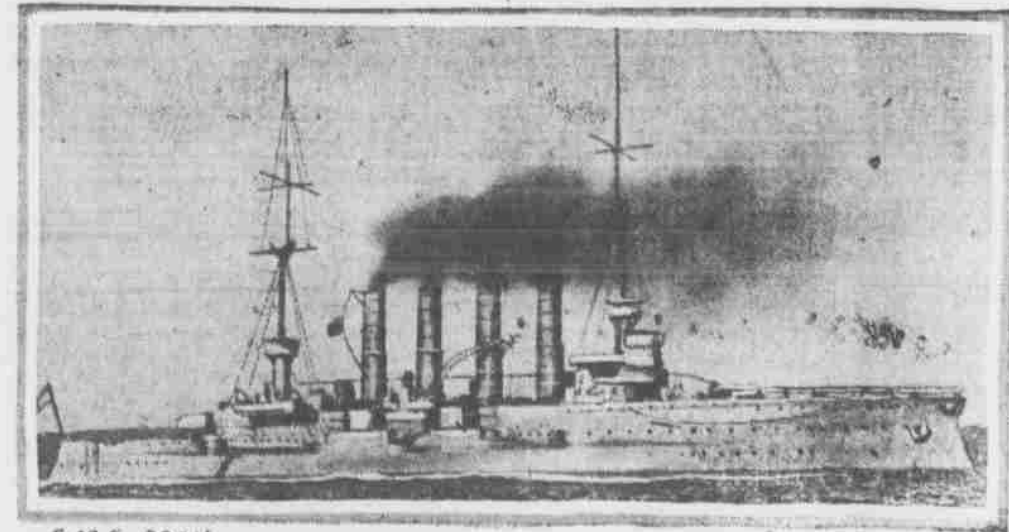
PROHIBITION ORDINANCE WILL BE CHANGED TO INCLUDE THIS PROVISION.

An amendment to the recently adopted prohibition ordinance so that it will be unlawful for anyone to carry liquor into a public place as well as a public gathering was proposed last evening to the council by Councilman H. J. Taylor and after some discussion, the council decided to have such an amendment prepared for introduction next week.

The amendment grows out of the arrest of Charles Bowlsby last week in a pool room for offering a special officer a drink of liquor. The ordinance, following the state law, prohibits such an action in a "public gathering" and there was some question as to whether a pool room came under that head.

Acting City Attorney C. H. Carter last evening expressed a doubt as to whether the city could properly amend its ordinance so that it would exceed the provisions of the state law, but members of the council were of the opinion that such can be legally done.

At the conclusion of the meeting, Mayor Best facetiously called attention to the fact that the Mayor named by Sheriff Taylor in the (wrong) raid was now being held in a public place, the office of Justice of the Peace Parkes. Acting City Attorney Carter agreed to swear out a complaint for the seizure of the liquor providing the city recorder would prepare a warrant. Councilman Phelps said he called attention to the fact that the "public place" amendment had not been passed and that, and by the most liberal construction, could the term "public gathering" be applied to Judge Parkes' office. It wouldn't require but a word or two to transform it into a public gathering. He reported the city attorney, but somehow or other the proposed ordinance of John Barleycorn from execution was not carried out.



According to a story published in the New York Globe, the German cruiser Roon has fallen captive to the British cruiser Drake in a three hour fight off Bermuda.